

UNITED STATES ATTORNEY'S OFFICE

PHILIP R. SELLINGER
United States Attorney
EAMONN O'HAGAN
Assistant U.S. Attorney
970 Broad Street, Suite 700
Newark, NJ 07102-2535
Tel: (973) 645-2874

Attorneys for the United States Department of Education

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

<i>In re</i>	Chapter 7
MOISES RODRIGUEZ, Debtor.	Case No. 23-17080-RG Judge: Hon. Rosemary Gambardella.
MOISES RODRIGUEZ, Plaintiff,	Adv. Pro. No. 23-01334-RG
v.	
U.S. DEPARTMENT OF EDUCATION, Defendant.	

ANSWER TO THE COMPLAINT

Defendant, the United States Department of Education (“DOE” or “Defendant”) by and through its undersigned counsel answers the Amended Complaint to Determine Dischargeability of Debts (“Complaint”) by Debtor and Plaintiff, Moises Rodriguez (“Debtor” or “Plaintiff”) as follows:

I. NATURE OF CASE

1. Paragraph 1 states a legal conclusion as to which no response is required.

II. JURISDICTION AND VENUE

2. Admitted.

3. Admitted.

4. Admitted.

5. Admitted.

III. PARTIES

6. With respect to Paragraph 6, DOE admits knowledge of Plaintiff's residence at 50 Watchung Avenue, Apt. 14, Belleville, New Jersey 07109 as listed in Bankruptcy Petition No. 23-17080-RG.

7. With respect to Paragraph 7, DOE admits that it is a government entity with multiple office locations.

IV. STATEMENT OF FACTS

8. With respect to Paragraph 8, DOE admits that Plaintiff secured eleven loans (the "Loans") from DOE. The Loans were disbursed in the amounts of \$3,874.00, \$2,504.00, \$7,510.00, \$5,509.00, \$2,197.00, \$4,593.00, \$4,396.00, \$7,419.00, \$4,582.00, \$7,830.00, and \$3,504.00 on various dates between December 1, 2011 and September 23, 2015. The Loans were made by DOE under the William D. Ford Federal Direct Loan Program under Title IV, Part D of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087a et seq. (34 CFR. Part 685). A

total of \$6,737.00 in unpaid interest was capitalized and added to the principal balance. Altogether, Plaintiff cumulatively owes DOE \$60,655.00.

9. With respect to Paragraph 9, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations except that DOE restates and incorporates its responses to the allegations in Paragraph 8 as if fully set forth herein.

10. With respect to Paragraph 10, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations.

11. With respect to Paragraph 11, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations except that DOE restates and incorporates its responses to the allegations in Paragraph 8 as if fully set forth herein.

12. With respect to Paragraph 12, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations.

13. With respect to Paragraph 13, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations.

14. With respect to Paragraph 14, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations.

15. With respect to Paragraph 15, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations.

V. DETERMINATION OF DISCHARGEABILITY

16. Paragraph 16 states a legal conclusion as to which no response is required.

17. Paragraph 17 states a legal conclusion as to which no response is required.
18. With respect to Paragraph 18, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations except to the extent Paragraph 18 states a legal conclusion as to which no response is required.
19. With respect to Paragraph 19, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations except to the extent Paragraph 19 states a legal conclusion as to which no response is required.
20. Paragraph 20 states a legal conclusion as to which no response is required.
21. With respect to Paragraph 21, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations.
22. Paragraph 22 is missing from the Complaint and no answer is required.
23. Paragraph 23 is missing from the Complaint and no answer is required.
24. Paragraph 24 states a legal conclusion as to which no response is required.

PHILIP R. SELLINGER
United States Attorney

By: /s/ Eamonn O'Hagan
EAMONN O'HAGAN
Assistant U.S. Attorney

*Attorneys for the United States
Department of Education*

Dated: December 14, 2023